

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUIS TORO,

Plaintiff,

-V-

BODEGA, LLC,

Defendant.

23 Civ. 3006 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On June 14, 2023, the Court ordered Plaintiff to refile his request for a certificate of default by June 16, 2023, in light of several deficiencies identified by the Clerk of Court with his initial application. *See* Dkt. 9. The Court warned that “[f]ailure to do so may result in an order dismissing the case for failure to prosecute.” *Id.* Plaintiff failed to do so; instead, on June 20, 2023—four days after the deadline set by the Court, Plaintiff refiled the proof of service of the Summons and Complaint on Defendant initially filed on May 8, 2023. *See* Dkt. 10 (duplicate certificate of service); *accord* Dkt. 5 (original certificate of service). Accordingly, if Plaintiff does not file a deficiency-free request for a certificate of default by June 22, 2023, the Court will dismiss this case for failure to prosecute.

SO ORDERED.

Dated: June 21, 2023
New York, New York

T. P. C.

JOHN P. CRONAN
United States District Judge